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QUESTION OF THE REALIZATION OF THE RIGHT TO DEVELOPMENT

Global Consultation on the Right to Development as a Human Right

Report prepared by the Secretary-General pursuant to Commission on Human Rights resolution 1989/45

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GLOBAL CONSULTATION ON THE REALIZATION OF THE RIGHT TO DEVELOPMENT AS A HUMAN RIGHT

INTRODUCTION

1. In its resolution 1989/45 of 6 March 1989, the Commission on Human Rights invited the Secretary-General to organize a global consultation on the realization of the right to development involving experts with relevant experience gained at the national level and representatives of the United Nations system, including its specialized agencies, regional intergovernmental organizations and interested non-governmental organizations, including those active in development and human rights. The purpose of the consultation as set out by the Commission was to focus on the fundamental problems posed by the implementation of the Declaration, the criteria which might be used to identify progress, and mechanisms for evaluating and stimulating such progress. The Commission in that resolution also requested the Secretary-General to prepare suitable background documents to assist the consultation in its deliberations, and to sumbit the report on the global consultation to the Commission on Human Rights at its forty-sixth session.

2. The Economic and Social Council at its first regular session of 1989, in its decision 1989/141 of 24 May 1989, approved the Commission's invitation to the Secretary-General to organize the Global Consultation. The General Assembly for its part, in its resolution 44/62 of 8 December 1989 expressed its hope that the results of that global consultation would substantially contribute to the Commission's work on the implementation and further enhancement of the Declaration on the right to development.

3. The Global Consulttation on the Realization of the Right to Development as a Human Right took place in the United Nations Office at Geneva from 8 to 12 January 1990. Leading experts in the various fields related to the subjects of the Global Consultation were invited to prepare short background papers and to participate in the Consultation by introducing their topics and by taking part in the ensuing discussions. In addition to the speakers under each item, representatives of specialized agencies, concerned units of United Nations secretariat, international trade, development and financial institutions, and non-governmental organizations were invited to participate. A special effort was made to ensure the participation of representatives of development-related non-governmental organizations and, in particular, those with direct experience of development projects. Each organization was requested to prepare a short paper of some 10-15 pages, outlining that organization's involvement in development with particular reference to the specific topics on the programme of the Consultation, including the issue of criteria for identifying progress in the realization of the right to development and possible mechanisms for identifying and stimulating such progress.

4. The Consultation began with a round table exchange of views on Development and Human Rights; Global Perspectives and New Policy Directions which was intended to provide a framework for the ensuing debates of the Consultation. The following took part in this Round Table:

- Mr. Jan Martenson
  Under-Secretary-General for Human Rights

- Mr. Alioune Sene
  Chairman, Working Group of Governmental
  Experts on the Right to Development
  Permanent Representative of Senegal to the
  United Nations Office at Geneva

- Mr. Antoine Blanca
  Director-General for Development and
  International Economic Co-operation

- Mr. Kenneth Dadzie
  Under-Secretary-General
  Secretary-General of the United Nations
  Conference on Trade and Development

- Mrs. Edith Ballantyne
  Secretary to the NGO Special Committee on Racism, Racial
  Discrimination, Apartheid and Decolonization

5. In addition to the round table exchange of views the following items were on the agenda of the Consultation:

The right to development as a human right: General issues

A. The right to development as a human right, self-determination and full sovereignty over natural wealth and resources; recent evolutions

   Mr. Georges Abi-Saab
   Professor at the Graduate Institute of International Studies,
   University of Geneva

B. Legal and political dimensions of the right to development as a human right

   Mr. Antonio Augusto Conçado Trindade
   Legal Advisor, Ministry of External Relations of Brazil

C. The right to development as a human right and international law: Critique of the concept of the right to development in international law

   Mr. Alain Pellet
   Professor at the University of Paris Nord and the Institute of
   Political Studies, Paris

D. Massive and flagrant violations of the human rights of peoples and human beings and the realization of the right to development as a human right

   Mr. Vladimir Kartashkin
   Professor at Institute of State and Law, Moscow

E. Respect of human rights and the realization of the right to development as a human right

Mr. Danilo Türk
Professor at the University of Ljubljana
Member of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

Specific examples of the implementation of the right to development as a human right

A. Women and the right to development as a human right

Ms. Phoebe Muga Asiyo
Member of the Kenyan Parliament
Goodwill Ambassador of United Nations Development Fund for Women

B. Indigenous peoples and the right to development as a human right

Mr. Hans Pavia Rosing
Member of the Danish Parliament for Greenland

C. The extremely poor and the right to development as a human right

Mr. Philippe Hamel
International Movement ATD Fourth World

D. Rural Legal Assistance and Development as a human right

Mr. Adama Dieng
Executive Secretary, International Commission of Jurists, Geneva

Realization of the right to development as a human right at the national level

A. National development policies and the realization of the right to development as a human right

Mr. Samir Amin
Director, Forum du Tiers Monde, Dakar, Senegal

B. Changes in the concept of the Welfare State and its impact on the right to development as a human right

Mr. Asbjorn Eide
Director, Norwegian Institute for Human Rights
Member of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

C. Intermediate structures and groups in the context of the right to development as a human right

Mr. Konrad Ginther
Professor at the Institute of International Law and International Relations, University of Graz, Austria

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D. Popular participation and the realization of the right to development as a human right

Mr. Javier Iguiñiz
DESCO, Lima, Peru

E. Impact of apartheid on the right to development as a human right

Mr. Barney Pityana
Director, Programme to Combat Racism,
World Council of Churches, Geneva

The right to development as a human right and international development policies

A. International development policies, international organizations and the realization of the right to development as a human right

Mr. Clarence Díaz
International Centre for Law and Development, New York

B. International financial and trade institutions and the right to development as a human right

Mr. Franklin Canelos
Executive Secretary for Latin America Community Development Service
Lutheran World Federation, Geneva

C. Right to development as a human right in the context of relations between developing and developed countries

Mr. C. M. Eya Nchama
Lecturer in African history
Graduate Institute for Development Studies, University of Geneva

D. Impact of external debt and adjustment policies on the realization of the right to development as a human right

Ms. Leonor Briones
Professor of Public Administration at the University of
The Philippines
President, Philippine Debt Coalition Network

E. Indigenous peoples and international development policies

Mr. Ted Moses
Chief, Grand Council of the Crees of Quebec

F. Human rights and human resources development

Mr. Russel Barsh
Professor at the University of Washington, Seattle
Director, Four Directions Council

Implementation and further enhancement of the Declaration of the Right to Development

Identification of:

A. Fundamental problems posed by the implementation of the Declaration on the right to development

Discussion leader: Mr. Kantilal L. Dalal
Rapporteur, Working Group of Governmental Experts on the Right to Development

B. Criteria for identifying progress in the implementation of the Declaration

Discussion leader: Mr. Asbjorn Eide
Director, Norwegian Institute for Human Rights
Member of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

C. Possible mechanisms for evaluating and stimulating progress in implementing the Declaration

Discussion leader: Mr. Danilo Türk
Professor at the University of Ljubljana
Member of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

Review of conclusions and recommendations emerging from the Consultation

Chairman: Mr. Alioune Sene
Chairman, Working Group of Governmental Experts on the Right to Development

6. In connection with the decision of criteria for identifying progress in the implementation of the Declaration of the Right to Development, Mr. Marcos Arruda, Co-ordinator, Alternative Policies on the Southern Cone of Latin America (PACS) presented a paper.

7. Professor Upendru Baxi, Director, Research Department, the Indian Law Institute, New Delhi, had been invited to present a paper on "The Individual as the Central Subject of Development as a Human Right" in connection with the discussion of the realization of the right to development as a human right at the national level. Unfortunately, he was unable to travel to Geneva but he submitted a paper on the subject.

8. In addition to the experts listed above the following individuals having specialized knowledge of the subjects relative to the Consultation took part in the discussions:

- Ms. Tatiana Ansbach
  Assistant Professor at the Humboldt University, Berlin

- Mr. Koffi Attignon
  Permanent Secretary, Association Africaine d'Education pour le Développement (ASAFED), Lomé, Togo

- Mr. Tamas de Szentes
  Professor at the University of Budapest

- Mr. Bala Tampoe
  General Secretary, Ceylon Mercantile, Industrial and General Workers' Union, Colombo, Sri Lanka

- Mr. Paul J.I.M. De Waart
  Professor at the University of Amsterdam
  Former member, Working Group of Governmental Experts on the Right to Development

Participants

9. In addition to the participants listed above, the following United Nations bodies were represented: Centre for Social Development and Humanitarian Affairs; United Nations Development Programme; United Nations Fund for Population Activities; Department of Public Information; United Nations Conference on Trade and Development (UNCTAD); Office of the United Nations High Commissioner for Refugees; International Labour Organisation; United Nations Organization for International Development; the World Bank (International Bank for Reconstruction and Development) and the International Monetary Fund.

10. The Organization of African Unity and the Commission of the European Communities were also represented.

11. The following bodies or organizations, although not represented at the Consultations, submitted written information on their activities relating to development: the Council of Europe; the Organization of American States; the Organization for Economic Co-operation and Development; the United Nations Advisory Committee on Science and Technology for Development and the United Nations Centre for Science and Technology for Development.

12. Thirty-six non-governmental organizations in consultative status with the Economic and Social Council were represented at the Consultation. In addition 4 other non-governmental organizations active in development and human rights were represented. Finally, 52 member States and 1 non-member State were represented at the Consultation. More than 170 persons attended the Consultation in one capacity or another.

13. The list of attendance is reproduced in Annex I.

Documentation

14. Annex II contains a list of the documents circulated during the Consultation. A background document (HR/RD/1990/CONF.1) which traced the evolution of the principles found in the Declaration on the Right to Development from the United Nations Charter and the Declaration of Philadelphia to the most recent studies on the matter was prepared for the Centre for Human Rights by Ms. Tamara Kunanayakam. The main speakers on the programme of the Consultation presented written documents as did a number of participants and organizations. Statements made to the Consultation and which were available in written form were also circulated. In all some 54 documents were thus distributed.

I. DEVELOPMENT AND HUMAN RIGHTS; GLOBAL PERSPECTIVES AND NEW POLICY DIRECTIONS

15. The Global Consultation opened with a round table exchange of views on Development and Human Rights, Global perspectives and new policy directives in which Mr. Jan Martenson, Under-Secretary-General for Human Rights; Mr. Alioune Sene, Chairman, Working Group of Governmental Experts on the Right to Development; Mr. Antoine Blanca, Director-General for Development and International Economic Co-operation; Mr. Keneth K.S. Dadzie, Under-Secretary-General, of the United Nations Conference on Trade and Development; Mrs. Edith Ballantyne, Secretary to the NGO Special Committee on Racism, Racial Discrimination, Apartheid and Decolonization took part.

Statement by Mr. Martenson

16. In his opening statement, Mr. Jan Martenson reviewed the origins of the Global Consultation, the mandate given to it by the Commission and the place of the right to development in the overall work of the United Nations in the field of human rights. The Declaration on the Right to Development was adopted by the General Assembly in 1986, and in its preamble, it describes development as a comprehensive economic, social, cultural and political process, that aims at the constant improvement of the well-being of the entire population and of all individuals on the basis of their active, free and meaningful participation in development and in the fair distribution of benefits resulting therefrom. Reflecting on what was meant by the Right to Development as a human right, it must be noted first that development in the sense of the Declaration is much more than continuous increases in the leading economic indicators. Development is a many-faceted concept which encompasses the whole human being in all the aspects of her or his basic rights - be they economic, social or cultural or civil and political. It attempts to do this in the context within which the individual must live. Development means respect for human rights and the basic rights of the community to which she or he belongs and the access to the necessary resources for growth. Development is relevant to all individuals, whether they live in economically-favoured countries or in developing countries.

17. The Declaration established the right to development as an inalienable human right with the human being as the central subject of the right and provided that all the aspects of the right to development set forth in the Declaration are indivisible and interdependent and this included expressly civil, political, economic, social and cultural rights. The text also reaffirmed the duty of States and of the international community to co-operate in ensuring development and in eliminating obstacles to development.

18. The specific standards in the Declaration had to be read in conjunction with many other human rights endorsements such as the Universal Declaration on Human Rights, International Covenants on Human Rights, the Proclamation of Tehran of 1968, the Declaration on Social Progress and Development proclaimed by the General Assembly in 1969; and the Universal Declaration on the eradication of Hunger and Malnutrition adopted by the World Food Conference in 1974 and endorsed by the General Assembly the same year. One conclusion was that the United Nations human rights instruments spell out standards which oblige governments and international organizations to respect the right to development as a human right, with all of its components and all other

human rights in the process, and to create the conditions necessary for the realization of these rights. Thus, a sound normative basis existed for moving on to implementation.

19. The whole issue of development in the broad sense touched upon a variety of activities in the United Nations system, and ways must be found of employing the human rights standards and implementation machinery to confront and overcome malnutrition, extreme poverty, deaths of infant children, lack of education and vocational training and the long list of other problems. All the universal human rights standards, in a unified approach, including self-determination, democratization and popular participation, including civil, cultural, economic, political and social rights, had to be emphasized in development.

20. It was to be hoped that the results of the Consultation would have a significant influence on the future activities of the United Nations in the field of development, including the Special Session of the General Assembly on International Economic Co-operation scheduled for April 1990, the preparation of the International Development Strategy for the Fourth United Nations Development Decade, the 1990 Conference on Least-Developed Countries, UNCTAD VIII in 1991, and the proposed 1992 Conference on the Environment and Development.

21. In connection with the preparation of the strategy for the Fourth Development Decade, the intervention of human rights elements into the conceptual and strategic planning on development will help ensure that the strategy for the Fourth Development Decade is truly relevant to the 1990s and that the citizens of the world find in the work of United Nations a reflection of their real preoccupations and goals. The enjoyment of human rights will constitute an essential element in evaluating socio-economic perspectives for the future. Factors such as the ratification of human rights instruments and the degree of respect for such basic human rights as freedom from racial discrimination, access to food, health, education, the right to participate in decision-making, and the freedom to think and express oneself freely, will have to be taken into account when considering the realization of development objectives in the context of the new Decade.

22. Development projects which are structured in a way that promotes human rights can have important impacts on other aspects of the United Nations human rights programme. Projects which, through the participation and involvement of persons from the weaker or poorer sectors of society, strengthen the dignity of those individuals and increase respect for them in the eyes of others may well prove to be an important factor in reducing various types of human rights abuses, in particular at the hands of the authorities or of the stronger sectors of society.

23. The issue of human rights and development and the implementation of the Declaration must be approached realistically. It should not be expected that the human rights experts would be able to rewrite international economic policies and laws; rather, the human rights contribution would be made through establishing standards, implementing those standards and giving publicity to them. The objective is to ensure that those organizations competent in the field of international economic policies take human rights fully into account when formulating, carrying out and evaluating their programmes. However, it should not be expected that experts in economics or international finance

would embark on the formulation of human rights norms; more that 40 years of painstaking efforts had gone into the establishment of existing human rights standards which are and should remain the fundamental rules of international community in whatever domain of operation.

24. The objective of the United Nations Charter of promoting better standards of life in larger freedom is equally applicable to the national and international levels and included a certain and definite obligation of social justice. In this regard, reference may be made to the first article of the Universal Declaration of Human Rights which reads: "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood." We do have a duty to our brother - both within our nations and internationally - and the promotion of the right to development as a human right will certainly prove in the future, an important tool for that purpose.

Statement by Ambassador Sene

25. Ambassador Alioune Sene referred to United Nations activities relating to the setting of development standards and said that the principles of the Declaration on the Right to Development were based on the relevant international instruments, namely, the Charter and the treaties, covenants, conventions, declarations and resolutions relating both to civil and political rights and to economic, social and cultural rights, which were indivisible. Although the United Nations had been established primarily to maintain peace, the Charter had also entrusted it with responsibility for achieving "international co-operation in solving international problems of an economic, social, cultural, or humanitarian character", which were interdependent.

26. The achievement of development called for the implementation of human rights and the participation of the actors on the social scene, the active and passive subjects and the beneficiaries and guarantors of development, namely, individuals, States, public and private entities and the international community. It meant moving from ethics to law, from charity to solidarity and from values to resources by proclaiming the fulfilment of the individual in the universal order as the object and purpose of development. The problem was to determine what specific measures were to be taken to promote structural improvements in and among countries through mechanisms that could guide and organize the growth of the world economy effectively, equitably and in the mutually advantageous interests of all.

27. In that connection, the United Nations was a laboratory for ideas and principles, a negotiating forum and a centre for the codification and promotion of the right to development. Whatever the scope and legal nature of the principles of development by virtue of sovereignty, it was becoming increasingly clear that States and decision-makers needed procedures for consultation, dialogue and negotiation with a view to more precise definitions of the objectives to be achieved and ways and means of formulating coherent development policies.

28. With regard to the intergovernmental machinery of the United Nations, the agencies and elements of the structure had been set up as needs had arisen, thereby creating a possibility that objectives might overlap and be dispersed and increasing the costs to be borne by the Member States. The problem was thus to determine how to strengthen co-ordination by restructuring the

permanent intergovernmental machinery in order to improve the efficiency of the system. That was the task which had been entrusted by the Economic and Social Council to the Group of 18 High-level Experts appointed by the Secretary-General, Mr. Javier Pérez de Cuéllar, who attached great importance to that mission, the purpose of which was to enhance the prestige and credibility of the United Nations.

29. The specialized United Nations bodies that were responsible for planning and co-ordination questions had to broaden the scope of their activities in order to shed light on all aspects of development policies and encourage all countries to study and consider those problems with a view to promoting human rights and strengthening peace.

30. All persons must be able to enjoy the fruits of development and equal opportunity and peoples must have a say in decisions on the course their development should take in order to improve their living conditions. In accordance with the legal rules governing relations among States, it was necessary to work together to build a common future for mankind in all its diversity on the basis of a system of the values of justice, freedom and solidarity and with firm determination to make them a reality in the light of the new challenges of the modern-day world.

31. Stressing global perspectives and new development orientations, he said it could not be overlooked that the majority of mankind had found its path through history blocked by the serious debt crisis, the worsening of the terms of trade, monetary instability, inequalities in international economic relations, unemployment and the spread of poverty, all of which caused disruption, political instability, tension and frustrations that might hamper the efforts the developing countries were making to bring about economic recovery and promote human rights and democracy.

32. At the present time of détente between the two super-Powers when the United Nations had a more important role to play in the settlement of regional conflicts and the reduction of tensions, new ideas with regard to the global prospects for development policies were worth exploring.

33. In that connection, efforts must be made to eliminate massive violations of human rights, such as apartheid, racism, the oppression of minorities, religious and ideological intolerance, aggression, foreign occupation and the denial of the right to self-determination, which were all obstacles to development.

34. New approaches based on consensus had to be devised in order to create the necessary conditions for growth and development through multilateral co-operation so as to implement national structural adjustment policies in a favourable economic environment. In that connection, concerted action on monetary issues, financing, debt, the transfer of resources, commodity trade, the transfer of technology and development had to be taken to revitalize the world economy in accordance with mutual interests.

35. Official development assistance, which now amounted to only 0.35 per cent of the overall GNP of the member countries of the Development Assistance Committee, was used for international co-operation for development, but it was, of course, still far from the 0.7 per cent target set by the United Nations 20 years previously.

36. The social aspects of development problems and the alleviation of poverty in the least developed and low-income countries were imporant issues to which the international community must turn its attention as a matter of priority. The social dimension of development was crucial to the implementation of the developing countries' structural adjustment programmes, and that meant that account must be taken of the development of human resources, education, young people, health, hygiene, housing, social services and the status of women and vulnerable groups, all of which were necessary to the realization of human rights.

37. Account must also be taken of the world population problem, as suggested by the recent report of the United Nations Fund for Population Activities stating that the population of the globe, which was now 5.2 billion persons, would surpass 6.2 billion by the end of the century and continue to increase.

38. The environment was another of the major challenges of the 1990s. It was increasingly being recognized that desertification, unchecked deforestation, soil depletion, the warming of the earth as a result of the "greenhouse effect", the disappearance of species, the depletion of the ozone layer, pollution and toxic wastes were causing a wide variety of meteorological and atmospheric changes that called for urgent measures and concerted action by the entire international community.

39. The right to life and to security in a healthy and durable environment had to be one of the basic principles of human rights and development because account had to be taken of the needs of future generations through the responsible management, rational exploitation and conservation and protection of the planet's resources in order to guarantee the well-being and dignity of the individual. Thus, even if the concept of the "common heritage of mankind" was an ethical one, it did have an impact on modern legal thinking.

40. The development of human resources, education, health, trade, food security, monetary issues, the division of labour, employment, the use of outer space for peaceful purposes, the seabed, ecology and environmental protection, demography, the data processing revolution, telecommunications, air transport and shipping, intellectual property, genetic manipulations, humanitarian issues, disarmament, peace and human rights were thus some of the global problems whose solution would determine the modern future of human society.

41. In view of those enormous problems and so many others, only human intelligence, the supreme resource, greatness of mind at the service of the ideals of solidarity of the United Nations, could gradually meet the expectations of the universal conscience with regard to genuine fraternal international co-operation for development and the well-being of mankind.

Statement by Mr. Blanca

42. Placing the topics dealt with by the Global Consultation in their proper historical perspective, Mr. Blanca said that the importance which the authors of the Charter of the United Nations attached to the question of human rights was apparent as early as the second preambular paragraph. The subject was also dealt with in Chapter I on the purposes and principles of the United Nations and in Article I, paragraph 3. In Article 55, moreover, the Charter clearly stated that conditions of stability and well-being were

necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples. To that end, it invited the United Nations to promote higher standards of living, full employment and conditions of economic and social progress and development; solutions of international economic, social, health and related problems and international cultural and educational co-operation; and universal respect for and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.

43. Those principles were not invented by the authors of the Charter: they were deeply rooted in the history of all of mankind. The concept of human rights and respect for human dignity and equality was to be found in the teaching of all the great world religions, whether Hinduism, Buddhism, Judaism, Christianity or Islam. The rights of the individual were the core of their basic philosophy.

44. The concept of human rights which had emerged following the Second World War seemed to have been less attentive to some aspects of the rights of the individual. Perhaps the traumatic events of the two wars had temporarily blurred the vision of the indivisibility of human freedom which had already been affirmed by many great thinkers.

45. That was not necessarily true in the case of the Universal Declaration of Human Rights, but the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights which had been drafted later, had brought out differences of view which had not completely disappeared. The Western countries tended to stress the right of the individual to civil and political freedoms and to attach secondary importance to social rights and the obligation of the State to provide its citizens with an economic safety net.

46. The international community now appeared to be moving gradually towards the concept of the general well-being of the individual. Much remained to be done, however, and a major task would be to promote a universal perception of what individual rights were. Taken as a whole, the International Bill of Human Rights was an instrument designed to ensure the general well-being of every individual. The Declaration on the Right to Development was an important step towards a complete definition of the overall concept of human rights.

47. The right to development was both an individual and a collective right. It guaranteed access to the culture, health, education, equal opportunity and new technologies, without which it was impossible to exercise political and civil freedoms to the full. One of the reasons why full realization of human rights was taking somewhat longer in the developing countries was unquestionably the gravity of the economic problems facing those countries.

48. The world seemed divided into two categories. On the one hand, there were the peoples living in the developed world, with all its enormous economic and technical advantages. They enjoyed the refinements of culture, a climate of security, the benefits of education and the most advanced medicine, and they were able to fully exercise their civil, political and other rights.

49. On the other hand, and in almost complete contrast, there was the majority of the world's population, who lived in conditions in which it was a struggle just to survive. It was a downright insult to the conscience of mankind that such a situation could exist at a time when the world was richer than ever before. Current social inequities, with some enjoying unprecedented prosperity, while others lived in absolute poverty, were clearly having disastrous consequences for both national and international security.

50. It was impossible to speak in terms of human dignity when thinking of the millions of people living below the poverty line, racked by illness and hunger or in the process of losing that most precious of all rights, the right to life. Human well-being was indivisible, as were human rights.

51. Those disparities within and between nations were flagrant in a world of instant communication and had already given rise to numerous tensions and social conflicts. Such a situation could not provide a basis for a stable world in which all individuals were assured of the full exercise of human rights. Social unrest and the rise of fundamentalism were clearly direct results of the inability to face up fully to the challenge of development.

52. In a world where interdependence was an established fact, security was also indivisible. No nation or people could remain secure on an island of tranquility with tumult raging all around them.

53. The first thing to be understood was that fundamental human rights were indivisible and that they could not be universally exercised until political, economic and social peace and security prevailed among nations.

54. Secondly, it was in the interest of all nations, particularly the developed countries, to strengthen multilateral co-operation and facilitate the establishment of an equitable and balanced international society.

55. The United Nations had a special responsibility in that regard. The Charter established a very clear link between peace and security, on the one hand, and economic development and social progress on the other. World security could not be guaranteed without balanced, equitable and just economic relations between States. The United Nations had been making important contributions in each of those areas for 40 years, and would continue to do so.

56. Thirdly, it was important to mobilize movements for the protection of human rights at the international level so that they could help to achieve recognition of the right to development as a fundamental human right.

57. What was needed was an action plan for the incorporation of human rights in the development process at two levels. Firstly, the objective of the plan should be the development of a consensus on the full integration of the right to development in human rights in general. Progress must be made towards the recognition of the right to development as a human right. That process, which was already underway in the United Nations, would be greatly facilitated by the opening and broadening of a dialogue between non-governmental human rights organizations and organizations concerned with development. Secondly, the action plan should aim at incorporating human rights in all stages of the economic development process.

58. The aim of any future strategy should be to extend the human rights dimension to all aspects of the development process. Such a strategy should have three components.

59. Firstly, it should ensure that human rights were taken into account at the major international meetings planned for 1990 and in the results of those meetings:

(i) The United Nations was currently formulating an International Development Strategy for the Fourth United Nations Development Decade. Mr. Martenson had recently put forward a number of proposals regarding the incorporation into the Development Strategy of recommendations concerning the measures to be taken to better ensure the exercise of human rights and fundamental freedoms and to enable everyone to benefit from the effects of the Strategy. Those ideas had been useful and would be taken into account in the drafting of documents relating to the Strategy;

(ii) In April 1990, the United Nations General Assembly was to hold a special session on international economic co-operation including, in particular, the revival of economic growth and development in the developing countries. The role of human rights in the development process would be one of the topics dealt with at that session;

(iii) With regard to the second United Nations Conference on the Least Developed Countries, there was no need to emphasize the seriousness of the effects of the current economic situation on the ability of the peoples of those countries to exercise fundamental rights which appeared to be taken for granted in the developed countries. Food, education and proper health care were actually denied to the citizens of those countries as a result of the economic situation. The first fundamental human right was the right to life, upon which the others depended. Greater efforts must be made to enable those countries to meet their obligation to ensure the full development of the individual;

(iv) In considering the question of the environment, account should be taken of some of the reasons for the deterioration of natural resources. Deforestation and desertification were closely linked to the struggle for survival which was the lot of the most deprived. It was thus essential to take account of the most fundamental right - the right to life - when considering ways of safeguarding the future of the planet. The 1992 Conference on Environment and Development must accord the necessary importance to human rights.

60. Secondly, efforts must be made to promote and strengthen interagency consultations designed to encourage co-operation among economic and social institutions concerned with the protection of human rights. Unfortunately, economic and social questions still continued to be a strictly demarcated area in which human rights had no place. However, there was increasing recognition of the need to combine consideration of economic and social questions with consideration of their human aspects. "Adjustment with a human face" or "development of human resources" had become commonly heard expressions.

Although a promising start had been made, much remained to be done. Perhaps the Administrative Committee on Co-ordination could include on its agenda each year an item under which it would consider the role of human rights in the development process.

61. Thirdly, it was necessary to strengthen the capacity of the Economic and Social Council to promote the enjoyment of the right to development as a human right. The Council was an organ created under the Charter which was directly responsible for overseeing the implementation of the International Covenants on Economic and Social Rights and on Civil and Political Rights and of the Universal Declaration of Human Rights, as well as the work of the Commission on Human Rights. The Council also had a central role to play in the co-ordination and harmonization of activities of United Nations bodies in the economic and social field. The Commission on Human Rights had now added to its agenda a separate item on foreign debt, economic adjustment policies and the enjoyment of human rights. In a resolution adopted at its preceding session, the Commission had invited Member States to include measures to ensure the promotion and protection of human rights in national development policies and programmes and had requested the Secretary-General to intensify co-ordination between the human rights activities of the United Nations and the programmes of development agencies. The Economic and Social Council should attach special importance to those questions.

62. One possible reason why the question of the right to development had not received the attention it deserved might be that it was difficult, strictly speaking, to identify victim and aggressor. Perhaps it was because some countries gave the impression of using their underdevelopment as a pretext for denying their peoples the free enjoyment of civil and political rights. Perhaps the tension between East and West and the resulting polarization had affected the attitudes of defenders of human rights. Whatever the truth might be, it was time for the international community to focus its attention on the question.

Statement by Mr. Dadzie

63. Mr. Dadzie referred to some conclusions from the recent work of UNCTAD which bear some relevance to the theme of the Round Table. He pointed out that while the recent steady growth in global output and trade offered opportunities for progress in developing countries, substantial obstacles nevertheless remained, participation in the benefits of economic expansion and technological advance were unequal. Extreme inequalities of income distribution persisted, poverty was widespread, vast human potential was wasted, and ecological systems were under threat. Economic stagnation and retrogression prevailed in a very large number of developing countries, particularly in Africa.

64. A second conclusion was that this deplorable state of affairs would not be overcome by spontaneous economic forces alone. Access to opportunities for the generation of work and income needed to be broadened, within a framework of rules and co-operative arrangements based on consensus, both at the national and at the international level. All countries were responsible for making contributions to the required action, in accordance with their capacities and economic weight.

65. A third conclusion concerned the concept of development itself. The Declaration on the Right to Development provided an excellent definition of the development process derived from the definition in the current International Development Strategy, which stressed the comprehensive and participatory process of societal transformation. This definition implied that economic growth was a necessary element of the development process; it could even be the main driving force. But all too often discussions and decisions on development policy were regrettably limited to considerations of growth and efficiency. It was essential, and most important from the UNCTAD point of view, to maintain a holistic perspective on development and to integrate non-economic factors in an operational way into the development process and the development dialogue. Human rights were, of course, among these non-economic factors.

66. Flowing from the above was the need to approach development in terms of integrating economic efficiency with broader societal objectives. This should be regarded as a universal challenge, not one confined to developing countries. "Maldevelopment" existed in industrialized countries and it called for new and imaginative approaches to economic and social organization in those countries as well. It should be stressed that in tackling this challenge, pluralism was of the essence; there was no universal model capable of automatic application to all societies and countries. Each society needed to devise its own solutions, solutions which would not necessarily or always flow from the spontaneous play of market forces alone, but would involve the establishment of a sound framework of rules and co-operative arrangements which were respectful of human rights and within which both individuals and groups of people could have broader access to economic opportunities. Similarly, rules and arrangements would also need to be constructed or adapted through international agreement in order to govern economic and social relations among States.

67. A fifth conclusion was that this emphasis on diversity and pluralism was very important at a time when so much emphasis was placed on one dominant model of economic and social organization, namely the free market model. It was indeed a strong model and its strength was highlighted by the failures of its antithesis, the centrally-planned economy as conceived in the 1930s. Yet the UNCTAD Trade and Development Board recalled recently, in a Declaration adopted on the occasion of its twenty-fifth anniversary, which was later endorsed by the General Assembly, that there was no universal criterion for determining the proper mix of economic management tools for stimulating economic growth and development, and that different countries were applying a range of approaches and measures which they consider appropriate to their own particular circumstances. It was true that more and more countries were making use of market signals and competition in promoting entrepreneurial initiative and in optimizing the contributions of the public and the private sectors. But it was no less true that such choices are the prerogative of individual countries, having regard to their own particular circumstances, history and cultural traditions.

68. An important implication of the above remarks about economic models has to do with structural adjustment programmes as recommended mainly by some international financial institutions. Many countries had expressed legitimate concerns about the policy content of conditions for financial support for such

programmes, which they saw as having too narrow a focus on short-term economic objectives. They had also complained about the adverse social impacts of these programmes and their effects on human rights and indeed on human capacities for long-term development. It was the speaker's view that the lessons that had so far been learned from the implementation of structural adjustment programmes, and the lessons that would no doubt be learned in the coming years, as countries all over the world seek to improve their economic and social systems, would lead to more effective modes of international financial co-operation which are more respectful of non-economic factors such as those that were set out in the Declaration on the Right to Development.

69. Mr. Dadzie said that most of the obstacles to human welfare were created by human kind, and therefore are amenable to human intervention. The means to overcome these obstacles, peacefully and through negotiated transformations were therefore within the realm of possibility. The development of these means and of the will and readiness to use them, both nationally and internationally, should be at the core of the multilateral agenda in the coming decade. He made several references to the possibilities for pursuing this objective. It was the considered view of UNCTAD that solutions to these problems could be worked out in the global interest only through multilateral co-operation. Differential development performance in developing countries was attributable not only to the thrust of domestic policy, but also to the incidence of external shocks, as well as to structural factors and initial conditions in each country. Indeed, if there was one main conclusion to be drawn, the work on the interaction between domestic factors and the international economic environment, it was that domestic policies would have little chance of succeeding unless there was a favourable external environment and supportive international action.

70. Finally, looking at the challenges for the future, Mr. Dadzie said that national and multinational solutions to problems of development must address a number of major needs: to promote higher standards of living, to eliminate poverty and to create employment; to explore, with open minds, alternative approaches to economic policy which sought to reconcile efficiency with equity and with social responsibility, and which ensured the full participation of all economic actors in the processes of growth and development; to devise practical means of diverting human and economic resources from the fabrication of means of destruction to socially productive uses, a task that promised to bear more fruit with the improving prospect of nuclear arms reductions; and to ensure that economic activities were ecologically sustainable, taking due account of the interrelationships between people, resources, environment and development.

Statement of Ms. Ballantyne

71. Ms. Ballantyne referred to an NGO meeting held in December 1989 on the theme of people and the debt crisis. On the podium, in front of the presiding officers, was a dish with paper cakes. It was intended to illustrate a quotation from a book by Susan George in which she related the experience of a social worker in Peru, found children whose mother was so poor that she had to make cakes from old newspapers and water to keep her children's stomachs filled. How many children have their hunger pacified in this and similar ways until they inevitably die from starvation and disease? She said that she was

not recounting this to raise emotions, (although she believed that emotions and compassion would be in order when speaking of the right to development) but because it dramatized the challenge which the implementation of the Declaration on the Right to Development posed for the international institutions, for Governments and for all people. The Declaration is indeed a welcome and needed instrument. Its implementation poses a tremendous challenge to all actors because it had to take into account the dominating world economic order which influenced, if it did not set, the terms of world economic, social, political and military relations.

72. The implementation of the Declaration on the Right to Development required the working out of a blueprint, based at least on minimum standards, that could be universally applied as a base on which to build. There was already a considerable body of international instruments and considerable experience and knowledge in the field: the Specialized Agencies and United Nations Programmes and of course, the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities and its working groups and studies (and the study being undertaken by Professor Türk on the realization of economic, social and cultural rights), the Committee on Economic, Social and Cultural Rights and the Working Group on the Right to Development. All these should be brought together. Ways also should be found to associate the people, who were central to the right to development, especially those whose rights are most violated. If all the available experience were brought together, a powerful tool for implementing the Declaration on the Right to Development could result. This meant that the international institutions had to co-operate meaningfully with one another and also with national development and human rights actors. A number of non-governmental organizations had jointly prepared a written paper in which a few recommendations in that sense were put forward.

73. On the occasion of the fortieth anniversary of the Universal Declaration of Human Rights, Clarence Dias wrote that of the group of collective rights constituting the third generation of human rights, the right to development was the most important. He saw the Declaration as a first important step; the international community was still in the process of articulating and elaborating a human right to development. Human rights scholars and activists had an important contribution to make to this process. It would be important also to provide an opportunity for those who had first-hand knowledge to bring their information to the United Nations. Could the Centre for Human Rights envisage a mechanism by which development and human rights activists (and those whose right to development was denied) could meet on a regular basis to give information and evaluate progress made in articulating and implementing the right to development? Might it be a working group of the Sub-Commission on Prevention of Discrimination and Protection of Minorities? Might it be Consultations or Seminars? Might it be possible to widen NGO access to the Committee on Economic, Social and Cultural Rights?

74. Among the challenges there were a few that deserved particular attention: one, already mentioned, was how to genuinely associate the people in realizing the right to development. Another was how to resolve seeming contradictions in implementing the right to development. For example, how to implement the fundamental rights of indigenous peoples and ethnic minorities to live and develop by their values and concepts of community within a

dominating value system different from theirs (and often very exploitative) without tearing nations apart? Or how to implement the right of each State to determine its road to development and its economic and political system in a world that becomes increasingly interrelated? Since this required transnational and international co-operation, respect for international norms, in a world in which the sharing of resources was no longer a kind voluntary gesture but an imperative. There was the question of the waste of resources on the arms buildup. At a time when international tensions were decreasing and disarmament measures were being taken, military budgets should be reduced quickly. The funds saved by these measures should be used for development, particularly in developing countries. The link between disarmament and development was not automatic and had to be made. This should be taken into account when articulating and realizing the right to development.

75. While developing indicators for measuring progress made in the realization of the right to development, one should be the progress made in advancing the status of women. Women represented more than half of the world's population, and the vast majority of them were engaged in work that contributes vastly to the life and wealth of nations. Particularly in developing countries, women, and children also, put in a hard day's work in and around the home and in the field. Yet in the statistics only the head of the family, usually the male, was counted. If all contributors were counted, a more realistic picture would be given of the productivity of the nation. This might show how low productivity per capita is, how poor the families were and where, therefore, investment should be made. Women should be the major beneficiaries from such investment because they were the important but neglected contributors. The Nairobi Forward Looking Strategies and follow-up work since they were adopted in 1985 should be taken into account in the process of articulating the right to development and in the evaluation of progress made in implementation. The United Nations Department for the Advancement of Women should be drawn into the co-operative efforts within the United Nations system.